

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

Jack Wolf,)	
)	
Plaintiff,)	
)	
v.)	C. A. No. 04-1385-GMS
)	
Thomas Carroll, DCC Medical Dept., C/O Pusey,)	
C/O Carter, and Lt. Seacord,)	
)	
Defendants.)	

**MOTION TO COMPEL IMMEDIATE PAYMENT OF FULL FILING FEES
AND FOR RELATED RELIEF**

Defendants move the Court, pursuant to 28 U.S.C. §1915(g), to vacate its November 22, 2004 Order granting the plaintiff leave to proceed *in forma pauperis* (D.I. 4) and to compel the plaintiff to immediately pay the full fees normally due upon commencing a case in this Court. Defendants submit that good cause exists for the relief requested as set forth in the accompanying memorandum.

August 7, 2007

**STATE OF DELAWARE
DEPARTMENT OF JUSTICE**

/s/ Ophelia M. Waters
Ophelia M. Waters, Bar I.D. No3879
Deputy Attorney General
820 North French Street, 6th Floor
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Counsel for Defendants Pusey,
Carter and Seacord

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C/O Carter, and Lt. Seacord,)	
)	
Defendants.)	

ORDER

WHEREAS, Defendants Carter, Pusey and Seacord have filed an appropriate motion to vacate *In Forma Pauperis* Order and compel the immediate payment of filing fees pursuant to 28 U.S.C § 1915 (g), and have asserted that plaintiff does not meet the “imminent danger” exception as required; and,

WHEREAS, the Court has considered the foregoing motion to compel immediate payment of filing fees and any response thereto;

IT IS SO ORDERED this _____ day of _____, 2006 that Defendants’ Motion to Compel Immediate Payment of Fees is hereby **GRANTED** as *in forma pauperis* is revoked, and the payment of all fees is a precondition to litigation.

United States District Judge

CERTIFICATE OF MAILING AND/OR DELIVERY

The undersigned certifies that on August 7, 2006, she caused the attached *Defendants' Motion to Compel Payment of Filing Fees/Vacate IFP Order and Memorandum in Support of the Motion* to be delivered to the following person(s) in the form and manner indicated:

NAME AND ADDRESS OF RECIPIENT(S):

Inmate Jack W. Wolf
S.B.I. No. 00093532
Delaware Correctional Center
1181 Paddock Road
Smyrna, Delaware 19977

MANNER OF DELIVERY:

- ☐ One true copy by facsimile transmission to each recipient
- ☒ Two true copies by first class mail, postage prepaid, to each recipient.
- ☐ Two true copies by Federal Express
- ☐ Two true copies by hand delivery to each recipient.

/s/ Ophelia M. Waters
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Attorney for Defendants Carte, Pusey and
Seacord